

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:07CR36
	)	
v.	)	
	)	
JOSEPH SMYRAK,	)	FINAL ORDER OF
	)	FORFEITURE
Defendant.	)	
_____	)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 62). The Court has reviewed the record in this case and finds as follows:

1. On March 27, 2008, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846 and 853, based upon the defendant's plea of guilty to Counts I and IV of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in \$13,049.00 in United States currency was forfeited to the United States.

2. On April 10, 17 and 24, 2008, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication was filed herein on May 27, 2008 (Filing No. 61).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained.

Accordingly,

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the \$13,049.00 in United States currency, held by any person or entity, is hereby forever barred and foreclosed.

C. The \$13,049.00 in United States currency, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 28th day of May, 2008.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court